

AUG 08 2001

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2001 AUG -8 P 1:11

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)

MUR 5078

Friends of Joe Baca and

)

Joe Baca, as treasurer

)

**SENSITIVE**

GENERAL COUNSEL'S REPORT # 2

I. ACTIONS RECOMMENDED

Accept the attached signed counter-proposed conciliation agreement and close the file in this matter.

II. DISCUSSION

In MUR 5078, the Commission found reason to believe that Friends of Joe Baca and Joe Baca, as treasurer (the "Committee") violated 2 U.S.C. §§ 441a(f), 441b(a), 434(a)(6)(A), (b)(4) and (b)(8) by accepting an excessive contribution, accepting three prohibited corporate contributions, omitting 48-Hour Notices for six contributions, omitting the description of the purpose of disbursements on three reports and omitting Schedule Ds on two reports.

On May 1, 2001, the Commission approved a proposed conciliation agreement prior to a finding of probable cause to believe. The proposed conciliation agreement approved by the Commission provided for a civil penalty

21-04-405-3214

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III. RECOMMENDATIONS

1. Accept the attached signed conciliation agreement with Friends of Joe Baca and Joe Baca, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lois G. Lerner  
Acting General Counsel

8/8/01  
Date

BY: Abigail A. Shaine  
Abigail A. Shaine  
Acting Associate General Counsel

Attachment:

1. Counter-proposed Conciliation Agreement

Staff assigned:

Kasandra C. Robinson

21-04-405-3215



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

**MEMORANDUM**

**TO:** Office of the Commission Secretary

**FROM:** Office of General Counsel *KCS*

**DATE:** August 8, 2001

**SUBJECT:** MUR 5078 – General Counsel's Report #2

The attached is submitted as an Agenda document for the Commission Meeting of \_\_\_\_\_

Open Session \_\_\_\_\_

Closed Session \_\_\_\_\_

**CIRCULATIONS**

**SENSITIVE** ☒  
**NON-SENSITIVE** ☐

72 Hour TALLY VOTE ☒

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☐

96 Hour TALLY VOTE ☐

**DISTRIBUTION**

**COMPLIANCE** ☒

Open/Closed Letters ☐  
MUR ☐  
DSP ☐

**STATUS SHEETS** ☐  
Enforcement ☐  
Litigation ☐  
PFESP ☐

**RATING SHEETS** ☐

**AUDIT MATTERS** ☐

**LITIGATION** ☐

**ADVISORY OPINIONS** ☐

**REGULATIONS** ☐

**OTHER** ☐


21-01-405-346



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

MEMORANDUM

TO: Lois Lerner  
Acting General Counsel

FROM: Office of the Commission Secretary 

DATE: August 13, 2001

SUBJECT: MUR 5078 - General Counsel's Report #2  
dated August 8, 2001.

The above-captioned document was circulated to the Commission  
on Wednesday, August 8, 2001.

Objection(s) have been received from the Commissioner(s) as  
indicated by the name(s) checked below:

Commissioner Mason	—
Commissioner McDonald	—
Commissioner Sandstrom	—
Commissioner Smith	—
Commissioner Thomas	—
Commissioner Wold	<u>XXX</u>

This matter will be placed on the meeting agenda for  
Tuesday, August 21, 2001.

Please notify us who will represent your Division before the Commission on this  
matter.

21-04-405-3217